

**MINUTES OF CITY COUNCIL WORKSESSION
SHEFFIELD LAKE, OHIO
September 17, 2019**

The regular meeting of the City Council Worksession was held Tuesday, September 17, 2019. President Rosso called the meeting to order at 7:06 PM.

ROLL CALL OF MEMBERS:

Present: President Rosso, Kovach, Erdei, Radeff, Cizl, Gee, Stark, Wtulich, Mayor Bring, Finance Director Smith, Law Director Graves.

Excused: None

Attending: Members of the Media

PRESENTATIONS: None.

*****COMMITTEES*****

ROADS & DRAINS: Chairman Cizl stated I'll just mention Mr. Hastings did present the Capital Improvement guide round two. **SAFETY:**

None. **BUILDINGS, LANDS, VEHICLES & EQUIPMENT:**

None. **ORDINANCE: None.** **FINANCE: None.** **PARK BOARD: None.**

*****ADMINISTRATIVE*****

MAYOR: Mayor Bring states no report.

SUPERINTENDENT: Superintendent Hastings advised no report. **FINANCE**

DIRECTOR: Finance Director Smith states no report. **LAW DIRECTOR:** Law

Director Graves states we will be bringing a couple pieces of legislation to the next council meeting. It is time to reappoint Mr. Carlton and Mr. Golden to the building department. It is a one-year appointment that expires at the end of the month.

COMMUNICATIONS: None. **OLD BUSINESS:** President Rosso states I left a message for Mr. Jancura regarding a combined meeting. Mr. Graves and I decided the best way to go about this is to decide a date between council and planning that works for everyone and call a special meeting. I will keep everyone informed. **NEW**

BUSINESS: None.

ORDINANCES AND RESOLUTIONS: Councils Agenda –

Council 037- Third Reading- -An ordinance establishing section 505.121 of the codified ordinances of Sheffield Lake regarding owning of poultry and fowl and the declaring of an emergency.

Councilman Kovach states going through our ordinances, I believe at this point we should consider hiring an animal control officer under chapter 155. This is a part time position of an employee who can be sent out regarding animal issues. It mostly concerns dogs but should be expanded to cover other animals. Under the noise ordinance, we could add restrictions regarding the roosters. I believe the chicken coops should fall under the outbuilding's restrictions. I really just disagree with the lot measurements of this ordinance. Councilwoman Gee says I think we need to double check the State of Ohio's code 901.12-9. This covers poultry. We need to make sure we are not in violation of that. Also, I did a survey on social media and 60% of residents that took it felt that 3ft is too close to the property lines. Coops shouldn't be allowed in side yards either. President Rosso states so the concern is if someone puts a coop between their houses, it is going to be too close to the neighbor's house. Law Director Graves states if we classify the enclosures as accessory buildings, they have to be in the rear yard, there would not be a side yard issue. Councilwoman Gee states I ran another survey as well and 60% that took this one said 4-6 chickens is plenty, while 40% said 6-12. There were many comments asking why is there no option for zero chickens. They felt a city should not have chickens. This is just information I have gathered and want to share. Councilman Cizl states I think there should be no roosters citywide. The grandfathering is an issue for me. I do not know how we can possibly govern that. I do not care if the number of chickens is 6 or even 8, as long as they are being maintained. Councilwoman Stark says I am ok with 6, but my concern is how do we protect the property rights of everyone. We want people to be able to have what they want, but what about the neighbors? Do we require a fence with chickens? President Rosso asks aren't there restrictions on accessory buildings as far as size? Councilman Kovach replies yes. President Rosso states I feel strongly that whatever we come up with, the chickens have to be penned, no free range. Councilwoman Stark states I think we should have some kind of mandatory fencing. Councilman Radeff states you can't force people to cover up their property. Councilwoman Gee states in ordinance we will be discussing how to do a stronger nuisance ordinance. Councilman Wtulich states I think whatever we come up with is going to be extremely hard to enforce. How do we keep track of it? What resources are we going to use to do it? Is it worth it? Councilman Radeff agrees. Councilman Kovach states again, that is why I think we should consider an animal control officer. President Rosso says I think that is something we should look at, but an animal control officer has nothing to do with how we need to word this ordinance. That is what we are here for. Mayor Bring states let's make this

simple. Pick an amount of chickens, a proper coop and how not to interfere with the neighbors. This will give us an opportunity to be able to take care of complaints. We just need a basic rule on the books. President Rosso says pick a number of chickens, then as far as the structure goes, make it 10 sq. ft. per bird, 24 in off the ground, and 1 nest per 3 birds. That is what I have read online about what is recommended. This will make it much easier for the building department to go out and measure. Law Director Graves states you are allowed two accessory buildings with a total of 320 sq. ft. combined. One cannot be more than 192 sq. ft. President Rosso states if you already have two buildings and want chickens, you have to decide either keep your buildings or turn one into a run. Councilwoman Gee says where it says turkeys, emus, those all need different dimensions. I think emus should be a definite no. Law Director Graves says we tried to make this as encompassing as possible is because of the situation on Dunny. We could remove some of the larger birds. The idea with this is four birds total. We aren't really trying to distinguish the species, just the number. President Rosso says we cannot legislate every species. I think we can eliminate the larger ones though. Law Director Graves says are we in agreement with prohibiting roosters, crowing birds? All Yeas. How do we feel about the restrictions on property lines? President Rosso states shouldn't we follow accessory building restrictions? That keeps them in the rear yard, etc. What about people with big lots, more than an acre? Law Director Graves states it would mean different dimensions and laws. Councilman Cizl states some people have multiple lots. Law Director Graves replies that is an issue we will address in zoning revisions. The concept of a zoning lot. Where multiple lots are consolidated and treated as one zoning lot. Councilwoman Gee states chickens should not be closer to my house than the person who owns them. We do not allow livestock in the city. Law Director Graves replies we do if they have more than an acre. President Rosso states chickens aren't a bad thing. It seems we are concerned about the smell more than anything else. I have never been around a chicken coop that smelled in this city. Councilwoman Gee states they also make a lot of noise. Councilman Radeff replies if the reason you don't want chickens by your house is because of the noise and smell, we already have ordinances for that. Make a complaint. It's impossible to find the perfect distance from everyone's house. President Rosso states we need to figure out an agreeable distance from property lines. Law Director Graves states to reiterate, if they are accessory structures, they cannot go in the side yard. President Rosso states are we ok with 5 ft. off the rear line, and do we need the side yard dimensions? Councilwoman Gee states not if we consider them accessory buildings, they can't go in side yards. Councilman Cizl

says why can't we make all the distances 5 ft.? President Rosso says we need to agree on the language in this ordinance so we can vote on it. Councilman Wtulich says 5 ft. off the back and 10 off the sides, is that ok? President Rosso asks other members. They reply yes. President Rosso says now pick a number of chickens. Councilwoman Gee says 6. President Rosso asks if there is any disagreement with that. No replies. Now let's figure out coop dimensions. We have 10 sq. ft. per bird for the run, the coop needs to be 12 in. off the ground and 1 sq. ft. per bird with 1 nest per 3 birds. Does this sound reasonable to everyone? All reply yes. Mayor Bring states remember this is going to be by complaint only. We aren't going to be going around checking everyone for chickens. Law Director Graves states he is going to redo the ordinance with all the revisions then council can decide to untable it and then move to amend it. If it gets untabled, it will be the 3rd reading and we can vote.

MEETING ADJOURNED: With no further business before this council, Motion by Kovach /Second by Erdei to adjourn at 8:02 pm. Yeas All.

CLERK OF COUNCIL AFFIRMATION: This Meeting Of The City Council Of The City Of Sheffield Lake, Ohio Was Held And Conducted Under All Rules And Regulations Governing The Sunshine Laws Of The State Of Ohio As They May Apply. All meetings are recorded and available in council offices.

CLERK OF COUNCIL/COMMITTEES

Brandy Randolph

I, Brandy Randolph, duly appointed Clerk of Council of Sheffield Lake DO HEREBY CERTIFY that this is a true and exact copy of the Minutes of WORKSESSION of September 17, 2019.

MAYOR

Dennis Bring

COUNCIL PRESIDENT

Rick Rosso